

PTO/SB/64 (09-04)

Approved for use through 07/31/2006. OM 8 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

2648 USOP

First named inventor: K. Kato

Application No.: 10/088,771

Art Unit: 1623

Filed: March 19, 2002

Examiner: M. Fedowitz

Title: Melanin Concentrating Hormone Antagonist

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Attention: Office of Petitions
 Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
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 FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions
 Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or
 action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration
 date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications
 filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee
☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))
2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
 the form of ISSUE FEE TRANSMITTAL FORM (identify type of reply):

☐ has been filed previously on _____
☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1,400.00 03/09/2006 TL0111 00000052 500799 00008771

☐ has been paid previously on _____
☒ is enclosed herewith. 01 FC:1453 1500.00 DA

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the
 USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to
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PTO/SB/64 (09-04)

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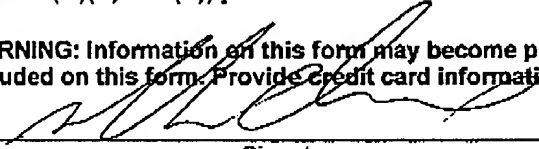
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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

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 3/8/06
 Signature Date
Mark Chao 37,293
 Typed or printed name Registration Number, if applicable
Takeda Pharmaceuticals North America, Inc. (847) 383-3372
 Address Telephone Number
475 Half Day Road, Lincolnshire, IL 60059
 Address

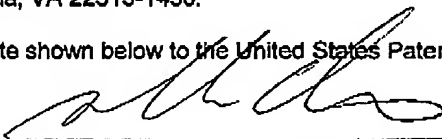
Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: copy of OMB Fee Transmittal & PAIR Printout

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

03/08/2006
 Date


 Signature
Mark Chao
 Typed or printed name of person signing certificate

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PTO/SB/97 (09-04)

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Certificate of Transmission under 37 CFR 1.8

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on March 8, 2006
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Dawn Hackbert
Signature

Dawn Hackbert

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(847) 383-3742

Registration Number, if applicable

Telephone Number

Reply to Notice of Abandonment Request for Revival of Application-Unintentionally Abandoned (1 page)
Petition for Revival of an Application for Patent Abandoned Unintentionally under CFR 1.137(b) (2 pages)
Copies of Original Issue Fee Transmittal Form filed August 11, 2005 and PAIR Printout (6 pages)
Transmittal Form (1 page) and Fee Transmittal Form (1 page x 2)

13 pages total, including this page

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Application Serial No. 10/088,771

Atty. Docket No. 2648 USOP

Filed March 19, 2002

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/21 (09-04)

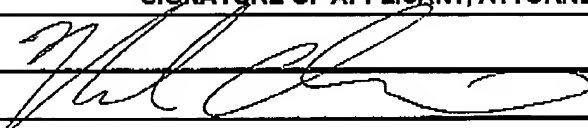
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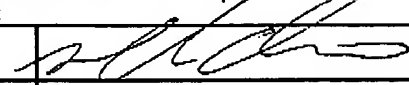
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/088,771	
	Filing Date	March 19, 2002	
	First Named Inventor	K. Kato	
	Art Unit	1823	
	Examiner Name	M. Fedowitz	
Total Number of Pages in This Submission	13	Attorney Docket Number	2848 USOP

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Reply to Notice of Abandonment Petition for Revival of an Application Abandoned Unintentionally Copies of Issue Fee Transmittal (4 pages) Certificate of Fax Transmission <i>COPY OF PAPER WORK</i>
Remarks The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 500799.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name			
Signature			
Printed name	Mark Chao, Ph.D., JD		
Date	3/8/06	Reg. No.	37,293

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	MARK CHAO	Date	3/8/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (01-06)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4816).

FEE TRANSMITTAL
For FY 2006☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1400.00

Complete if Known

Application Number	10/088,771	RECEIVED
Filing Date	March 19, 2002	CENTRAL FAX CENTER
First Named Inventor	K. Kato	
Examiner Name	M. Fedowitz	MAR 08 2006
Art Unit	1623	
Attorney Docket No.	2648 USOP	

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 500799 Deposit Account Name: Takeda Pharmaceutical Company

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	

4. OTHER FEE(S)


Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Utility Issue Fee

Fees Paid (\$)

1400.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 37,293	Telephone 847-383-3372
Name (Print/Type)	Mark Chao, Ph.D., JD	Date	3/8/06

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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RECEIVED
CENTRAL FAX CENTER**MAR 08 2006****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/088,771

Filed: March 19, 2002

1st Inventor: K. Kato

For: Melanin Concentrating Hormone Antagonist

Atty. Dkt. No. 2648 USOP

Art Unit: 1623

Examiner: M. Fedowitz

Allowed:

Batch:

Paper No.:

REPLY TO NOTICE OF ABANDONMENT
REQUEST FOR REVIVAL OF APPLICATION- UNINTENTIONALLY
ABANDONED**MAIL STOP PETITION**
ATTENTION: OFFICE OF PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In Reply to a Notice of Abandonment mailed March 1, 2006, Applicant respectfully submits a petition to revive and authorization to charge the appropriate missing Issue Fees and Petition Fees to our USPTO Deposit Account Number 500799.

An Issue Fee Transmittal Form was mailed by Express Mail on 08/11/2005 including all required papers.

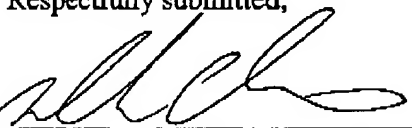
While the fee amount was entered there apparently was not enough funds in our deposit account when charged. Thus the application became unintentionally abandoned.

Respectfully submitted,

Dated: March 8, 2006

(847) 383-3372

(847) 383-3391



Mark Chao, Ph.D., Reg. No. 37,293

Elaine M. Ramesh, Ph.D., Reg. No. 43,032

Attorney for Applicants

Customer No. 23115

Takeda Pharmaceuticals North America, Inc.
Intellectual Property Department
475 Half Day Road
Lincolnshire, IL 60069 USA

MAR 08 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/088,771

Filed: March 19, 2002

1st Inventor: K. KatoFor: Melanin Concentrating Hormone
Antagonist

Atty. Dkt. No. 2648 USOP

Art Unit: 1623

Examiner: M. Fedowitz

Allowed: 05/17/2005

Conf. No: 2340

Paper No.:

CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10

USPS EXPRESS MAIL LABEL No. EV 524905591 US

DATE IN: August 11, 2005

Itemized Papers/Items:


1. This Certificate of Mailing and a Return Receipt Postcard (2 pages)
2. Issue Fee Transmittal Form (1 page x 2)

The undersigned hereby certifies that the above itemized papers are together being deposited with the Express Mail Post Office to Addressee service of the United States Postal Service (USPS) in an envelope with sufficient postage, having the USPS Express Mail Label No. shown above, and addressed to:

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on this date, 08/11/05

Dated: 8/11/05



Gail L. Winokur

Takeda Pharmaceuticals North America, Inc.
Intellectual Property Department
475 Half Day Road
Lincolnshire, IL 60069 USA

EV524905591US

Application No.:	104088,771	Art Unit:	1623
Filed:	March 19, 2002	Examiner:	M. Fedowitz
1 st Inventor:	K. Kato	Allowed:	05/17/2005
For:	Melanin Concentrating Hormone Antagonist	Conf. No.:	2340
Any Dkt. No.:	2648 USOP	Paper No.:	

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By Elaine M. Ramesh, PhD, JD - Reg. No. 43,032

Application No.:	104088,771	Art Unit:	1623
Filed:	March 19, 2002	Examiner:	M. Fedowitz
1 st Inventor:	K. Kato	Allowed:	05/17/2005
For:	Melanin Concentrating Hormone Antagonist	Conf. No.:	2340
Any Dkt. No.:	2648 USOP	Paper No.:	

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By Elaine M. Ramesh, PhD, JD - Reg. No. 43,032



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Docket # 2648 USOP

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Total	0.00
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Number of Items Sold: 1

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